

BEAR CANYON PERMIT RENEWAL

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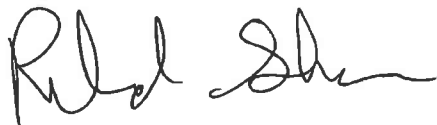
AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and the first publication was on the 5th day of October, 2010, and that the last publication of such notice was in the issue of such newspaper dated the 26th day of October, 2010.



Richard Shaw – Publisher

Subscribed and sworn to before me this 26th day of October, 2010.



Notary Public My commission expires January 10, 2011 Residing at Price, Utah

Publication fee, \$ 505.48



RECEIVED

NOV 04 2010

DIV. OF OIL, GAS & MINING

Bear Canyon Mining LLC
Highway 31
Huntington, Utah 84528

Kenneth A. Rushton, trustee for the bankruptcy estate of CW Mining Company doing business as Co-Op Mining Company, hereby submits an application for a permit renewal for the Bear Canyon Mine, permit number C/O15/0025. The permit area encompasses approximately 10,920.45 acres for which the legal description is provided below.

Permit Area

- A. T16S, R7E SLBM Sec. 14 S1/2
Sec. 23 E1/2, E1/2 W1/2
Sec. 24 W1/2, W1/2 E1/2
Sec. 25 NW1/4 NW1/4, E1/2 NW1/4, SW1/4 SW1/4, E1/2 SW1/4
Sec. 26 NE1/4 NE1/4, NW1/4 NE1/4, N1/2 SW1/4
NE1/4 and the access/haul road and topsoil storage area
- T16S, R8E SLBM Sec. 7 NE1/4, NE1/4
Sec. 8 NW1/4, W1/4 E1/2, N1/2 SW 1/4, SE1/4 SW1/4
Sec. 16 All
Sec. 17 All
Sec. 21 E1/2 NW1/4, NE1/4, N1/2 SE1/4
- B. T16S, R7E SLBM Sec. 1 Lots 1 and 2, S1/2 NE1/4, SE1/4
Sec. 10 N1/2, N1/2 S1/2, SE1/4 SW1/4, S1/2 SE1/4
Sec. 11 All
Sec. 12 All
Sec. 13 All
Sec. 14 NE1/4, E1/2 NW1/4
Sec. 24 E1/2, E1/2,
Sec. 25 E1/2
- T16S, R8E SLBM Sec. 18 SW1/4, SW1/4
Sec. 19 S1/2 NW1/4, SW1/4, SW1/4 SE1/4, N1/2 SE1/4,
S1/2 NE1/4
Sec. 20 S1/2 NW1/4, N1/2 SW1/4
Sec. 30 W1/2, W1/2 NE1/4, NW1/4 SE1/4
- C. T16S, R7E SLBM Sec. 25 SW1/4 NW1/4, NW1/4 SW1/4
T16S, R8E SLBM Sec. 6 Lots 11-14, E1/2 SW1/4, W1/2
SE1/4, SE1/4 SE1/4
Sec. 7 all except NE1/4 NE1/4
Sec. 8 SW1/4, SW1/4
Sec. 18 N1/2, SE1/4, N1/2 SW1/4, SE1/4 SW1/4
- D. T16S, R8E SLBM Sec. 31 NE1/4 NW1/4, NW1/4 NE1/4
- E. T6S, R8E SLBM Sec. 19 Lot 1, NE1/4 NW1/4, N1/2 NE1/4
Sec. 20 N1/2 NW1/4, NE1/4, NE1/4, NE1/4
21 W1/2 NW1/4, N1/2 SW1/2, SE1/4 SW1/4, S1/2 SE1/4

A surety bond is filed with the Division of Oil, Gas and Mining in the amount of \$1,825,000.00, and is payable to the State of Utah, Division of Oil, Gas and Mining (DOGM), and the Office of Surface Mining Reclamation and Enforcement (OSM).

A copy of the permit renewal application may be examined at the office of the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801 and also at the Records Office located in the Emery County Courthouse in Castle Dale, Utah. Written comments, objections, or requests for an informal conference may be submitted to the Salt Lake City address. Said comments must be submitted thirty (30) days from the date of the last publication of this notice. This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1977, and State and Federal regulations promulgated pursuant to said Act.

Published in the Emery County Progress on October 5, 12, 19 and 26, 2010.